

104: Clarifications, Revisions, or Waivers and Transitional Provisions to this Manual**A. Policy Clarification Requests (PCR)**

1. From time to time, users of this manual may find that certain standards require additional clarification by the Office. In order to systematically respond to these inquiries, the IDoA implements this clarification process.
2. PCRs (see Section 905.11 of the Policies, Procedures, and Standards for the Area Agencies on Aging Manual) are to be submitted to the Office by any AAA, any provider entity, or LTCO. PCRs received by the Office will be logged in and routed to appropriate staff for research and response. A response to a PCR will be made within thirty (30) working days by either responding directly to the clarification request or requesting further information from the requestor. Depending upon the nature of the request, a PCR may be handled in one of two ways:
 - a. if the PCR refers to a subject that is unique to a specific AAA, provider entity, or designated representative then an individual response will be forwarded to the AAA, the provider entity or designated representative. Any AAA, provider entity, or Regional Ombudsman may request or receive a copy of the response to this kind of PCR.
 - b. if the subject of the PCR suggest a need for statewide clarification or a need to modify the contents of this Manual, sequentially numbered information memoranda will be released to all AAA, provider entities, and Regional Ombudsman. The informational memoranda

will clarify the pertinent issue, and if appropriate, outline the steps to be taken by the IDoA and/or the SLTCOP to initiate the changes to this Manual.

3. The Office shall consult, if needed, with the Department managers in the issuance of Policy Clarifications. The Office may consult with the PCR workgroup for recommendation, review and clarification
 - a. When the PCR contains a technical assistance question concerning this manual and the response does not affect LTCOP policy, the Office shall issue the response and provide a copy to the Director and appropriate managers.
 - b. When the PCR contains a question which involves an interpretation of LTCOP policy, the Office shall consult with Department managers prior to the drafting of a response. When the response has been drafted and approved by the Director, the Office shall issue the PCR response and provide a copy to the Director and appropriate managers.

B. Changes to this Manual

1. Changes to this Manual will be made by the Department, after consultation with the Office, and if appropriate, with the review and input of the AAAs, provider entities, and Regional Ombudsmen.
2. Changes requiring adherence to the state Administrative Procedures Act process will follow normal rule making procedures, with Manual changes provided once such rules become final.

C. Waivers

1. The Department may award a waiver to a standard of this Manual when a written request is received from an AAA, provider entity or Regional Ombudsman which contains justification to support the approval. The AAA, provider agency and Regional Ombudsman will be notified in writing if a waiver has been approved.
2. A request for waiver must be made in writing to the Office and approved by the Department prior to:
 - a. hiring or promotion of the employee in question;
 - b. implementing the reduced minimum standard; or
 - c. implementing the practice.
3. Requests for waivers related to minimum LTCOP service components may be requested through the LTCOP Annual Services Plan according to Section 407(C)(3).

D. Transitional Provisions

1. As of the date of issuance of these standards, any entity providing LTCOP services under a grant or contract with the IDoA or an AAA shall continue to be designated as a provider agency for the duration of the previously established designation period unless the provider agency is de-designated by the SLTCO.
2. Persons hired before October 1, 1989, to serve as a Regional Ombudsman do not have to meet the educational requirement.

3. Persons serving in the capacity of SLTCO, RO, CO or VO and listed on the Registry prior to the date these standards were implemented, are waived from the designation training requirements in Appendix G.